

House Bill 1342 - Pesticide and Pest Control - State-Owned Property - Pesticide Use Restrictions and Pollinator Habitat

Committee: Environment & Transportation

DMAA Position: **Opposed**

Delaware-Maryland Agribusiness Association (DMAA) Position on House Bill 1342

The Delaware-Maryland Agribusiness Association (DMAA) represents agricultural retailers and manufacturers operating in Maryland. DMAA opposes House Bill 1342 which would restrict the types of pesticides that can be applied to all state property for specific purposes and require the designation of certain state lands as pollinator habitat that would further restrict pesticide use.

The Federal Insecticide, Fungicide and Rodenticide Act which has been in place for over 70 years creates the federal framework for pesticide evaluation and regulation at the U.S. Environmental Protection Agency (EPA). Pesticides are required to undergo a rigorous evaluation for initial registration and be re-evaluated at least every 15 years or when new information becomes available.

The EPA evaluation for registration includes risk assessments that evaluate the potential for:

- Harm to humans, wildlife, fish, and plants, including endangered species and other non-target organisms.
- Contamination of surface water or ground water from leaching, runoff, and spray drift.¹

The process evaluates the ingredients of the pesticide;

- the particular site or crop where it is to be used;
- the amount, frequency, and timing of its use; and
- storage and disposal practices.

EPA has conducted specific evaluations for pollinators on several different classes of insecticides.

This risk assessment includes:

- Feeding studies, which examine effects on colonies following exposures to known concentrations of a pesticide in a food source fed to a bee colony.
- Semi-field studies, which examine effects on colonies contained within enclosures.
- Residue studies intended to quantify pesticide concentrations in pollen and nectar of crops treated according to the labels.

As a result, EPA has adopted pollinator specific labeled directions on certain pesticide labels that include time of use restrictions, restrictions on application to flowering plants, among others. The label is the law and applicators must follow the pesticide label which EPA has determined to be sufficiently protective of pollinators.

Additionally, Maryland has published a Managed Pollinator Protection plan that addresses pesticide use in relation to pollinators. The pesticide section reads as follows:

“Pesticides are one of many tools available to manage lawn and garden pests. When using pesticides follow the label directions exactly -- the label is the law. Before using any pesticide on lawns or gardens:

- Identify the pest and assess the damage. Many plants can tolerate insect damage and no action may be necessary. The UMD Extension offices and Home and Garden Information

- Center can help identify insect damage or disease (<https://extension.umd.edu/hgic>).
- If pest damage is extensive, explore and understand options for management. Choose methods that minimize harmful effects on pollinators and beneficial insects that prey on pests.
 - Avoid applying insecticides to flowering plants or to areas where pollinators may be nesting.”

The recommendation is not to restrict labeled uses of registered pesticides or to utilize organic pesticides only on pollinator habitat.

This legislation sets a precedent that organic pesticides in their entirety are somehow less toxic to pollinators than other registered pesticides that have undergone specific risk assessments by EPA.

DMAA holds that the Maryland Departments of Agriculture and Natural Resources should have the authority to determine how pesticides can best be used in relation to pollinator protection and compliance with federal labeling already in place.

1. U.S. Environmental Protection Agency. *Pesticide Registration Process*.
<https://www.epa.gov/pesticide-registration/about-pesticide-registration>